

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DANNY R. MAINES,

Plaintiff

v.

C-1-05-470

OHIO DEPT. OF REHABILITATION
AND CORRECTION, *et al.*,

Defendants

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 27) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the absence of any objection by plaintiff, this Court accepts the Report as uncontroverted.

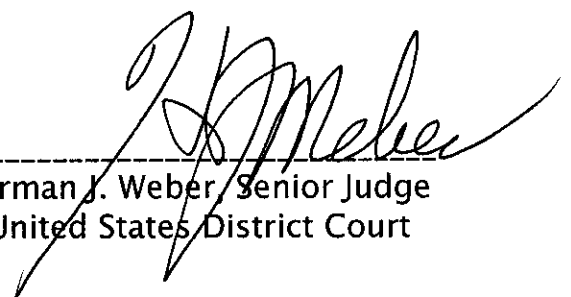
The Report and Recommendation of the United States Magistrate Judge (doc. no. 27) is hereby **ADOPTED AND INCORPORATED HEREIN BY REFERENCE.** Plaintiff's Complaint is **DISMISSED WITH PREJUDICE.**

ECF/33

The Court CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3) that for the foregoing reasons, an appeal of this Court's Order would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

This case is DISMISSED AND TERMINATED on the docket of this Court.

IT IS SO ORDERED.



Herman J. Weber, Senior Judge
United States District Court

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